



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman  
JOHN A. DONOVAN, JR.  
ROBERT R. CUNNINGHAM

MARY ANN McDOUGALL  
Executive Secretary  
Telephone  
235-1664

WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

82-39

Petition of Nathaniel M. and Joan L. Gorton

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall at 8 p.m. on Thursday, September 16, 1982, on the petition of Nathaniel M. and Joan L. Gorton, requesting a variance from the terms of Section XIX of the Zoning Bylaw which will allow the construction of an addition approximately 6' by 12' to their dwelling at 21 Hillside Road, leaving less than the required twenty feet on the right side yard. Said request is made pursuant to Section XXIV-D of the Zoning Bylaw.

On August 27, 1982, the petitioners filed their request for a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Present at the hearing and speaking on behalf of the request was Nathaniel Gorton, who stated that he wished to expand the kitchen, but that the proposed addition would not increase the existing encroachment on the right side yard. He stated that the McClaines, abutters at 17 Hillside Road, do not oppose the petition.

Other than the petitioner, no one was present favoring or opposing the request.

Statement of Facts

The property involved is in a Single Residence District at 21 Hillside Road, on the corner of Sylvan Road, containing 16,852 square feet of land.

The dwelling is a legal non-conforming structure, built in 1905, prior to the existence of the Wellesley Zoning Bylaws. The dwelling comes to 18.8' from the right side lot line. The petitioner proposes to extend the existing lines of the dwelling by six feet in order to add on to his kitchen, maintaining the 18.8' sideyard.

A Plot Plan was submitted, drawn by Philip R. Brown, Registered Land Surveyor, of MacCarthy & Sullivan Engineering, Inc., Natick, Ma., dated August 11, 1982. Construction sketches were also submitted.

The Planning Board, at its regular meeting of September 14, 1982, voted to offer no comment on the petition.

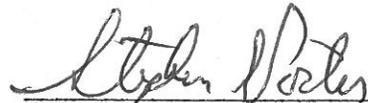
OCT 8 10 08 AM '82  
WELLESLEY MASS.  
TOWN CLERK'S OFFICE  
RECEIVED

Decision

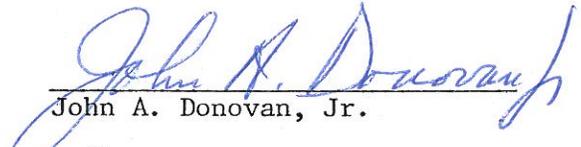
This Authority has made a careful study of the evidence submitted. The petitioner has a non-conforming dwelling, built prior to zoning restrictions. The proposed addition would not extend beyond the existing lines of the dwelling on the right side yard.

It is the opinion of this Authority that literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted and the Inspector of Buildings is authorized to issue a permit for the construction upon receipt and approval of a building application and construction plans.



Stephen S. Porter, Chairman



John A. Donovan, Jr.



Robert R. Cunningham

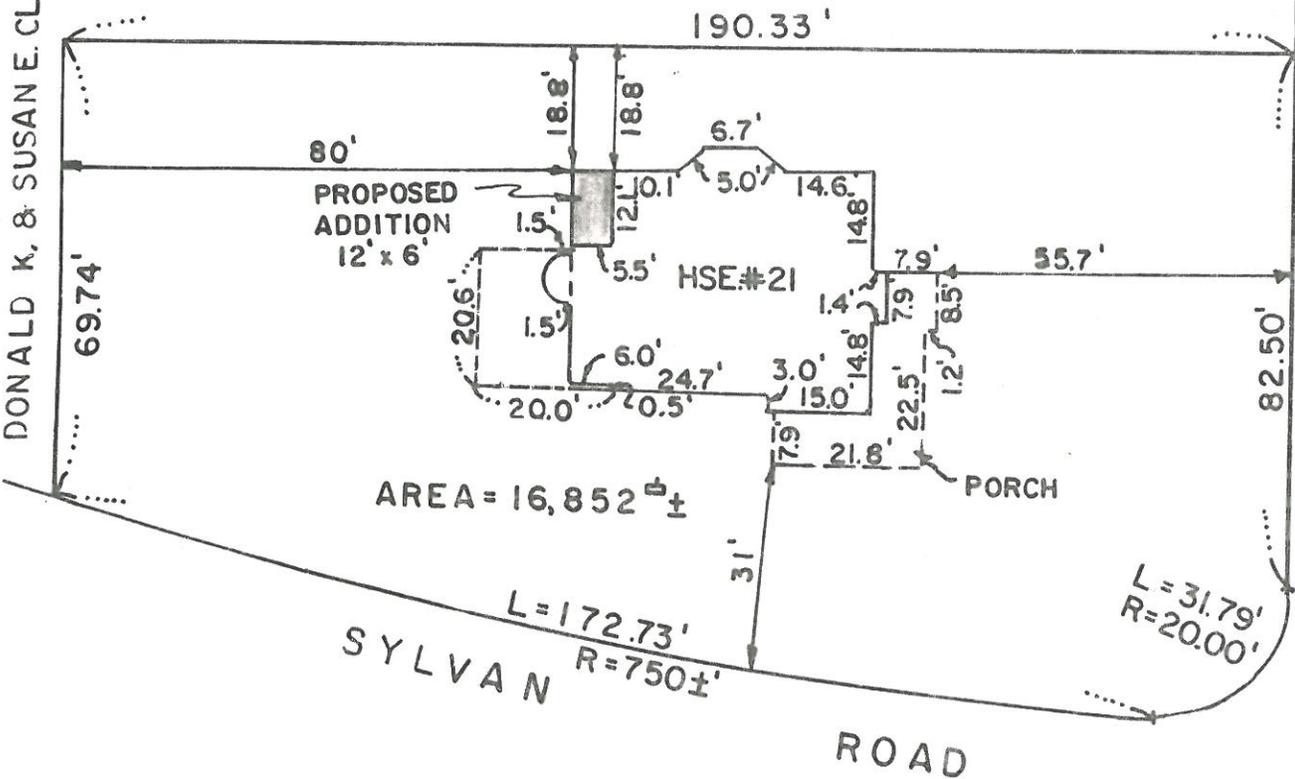
mam

OCT 8 10 08 AM '82  
RECEIVED  
TOWN CLERK'S OFFICE  
WILMINGTON, MASS.

LESLIE A. & MARILYN J. MC CLAINE

DONALD K. & SUSAN E. CLARKSON

HILLSIDE ROAD



WELLESLEY BOARD OF APPEALS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE: \_\_\_\_\_



AUG 27 11 13 AM '82

RECEIVED TOWN CLERK'S OFFICE WELLESLEY MASS.

*Philip R. Brown*

PHILIP R. BROWN  
REGISTERED LAND SURVEYOR

PLAN OF LAND IN WELLESLEY, MASS.

OWNED BY: NATHANIEL GORTON

SCALE: 1" = 30' AUG. 11, 1982

PLAN BY: MAC CARTHY & SULLIVAN ENGINEERING INC.  
81 SPEEN ST., NATICK, MASS.